

04-R-1367

A Resolution

Councilman Jim Maddox

A Resolution Establishing a Private Property Vending Policy and Advisory Committee for the Purpose of Reviewing City Policy with Respect to Vending on Private Property and to Make Recommendations to the Mayor And City Council as to Ways to Improve the City's Private Property Vending Program; and for Other Purposes.

Whereas, the City has the responsibility to regulate , and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards; and

Whereas, the City has the power to make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city; and

Whereas, pursuant to its police powers, the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including vending on private property; and

Whereas, there is a proliferation of private property vendors some of whose vending sites and structures are unsightly and unsafe; and

Whereas, this proliferation of private property vendors has also led to traffic congestion and the creation of dangerous traffic conditions; and

Whereas, the City ordinances regarding vending on private property should be reviewed, revised and updated in order to eliminate the problems associated with vending on private property; and

Whereas, in light of the foregoing , it is necessary and appropriate for the City of Atlanta to promote the public health, safety and general welfare of its citizens by creating the Private Property Vending Policy and Advisory Committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF  
THE CITY OF ATLANTA, GEORGIA, as follows:**

Section 1: There is hereby established a seven (7) member Private Property Vending Policy and Advisory Committee which shall be appointed as follows:

- a. Two (2) members shall be appointed by the Mayor;
- b. Four (4) members shall be appointed by Council : One (1) by the President of Council, and one (1) from each of the three (3) Post/District Council groupings. (one of said members shall be a representative of the vending industry.); and
- c. One (1) member shall be appointed by the Atlanta Planning Advisory Board (APAB).

Section 2: The Private Property Vending Policy and Advisory Committee shall serve as an advisory body to the Mayor and City Council and shall review current City Policy and laws with respect to vending on private property and shall submit a report which shall include suggestions and recommendations regarding ways to improve the City's private property vending program.

Section 3: The Private Property Vending Policy and Advisory Committee shall submit its report to the Mayor and City Council within one hundred and twenty (120) days of the enactment of this resolution.

Section 4: That upon this resolution becoming law, the Municipal Clerk shall immediately notify APAB of the adoption of this resolution and request that the name of APAB's appointee be submitted within two weeks following such notification.

Section 5: That the Private Property Vending Policy and Advisory Committee shall be considered disbanded upon submittal of its final report.

Section 6 That all resolutions or parts of resolutions in conflict herewith are hereby rescinded.